Security Council

Distr.: General
3 July 2001

Resolution 1360 (2001)

Adopted by the Security Council at its 4344th meeting, on 3 July 2001

The Security Council,

Recalling its previous relevant resolutions, including its resolution 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999, 1330 (2000) of 5 December 2000 and 1352 (2001) of 1 June 2001, as they relate to the improvement of the humanitarian programme for Iraq,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12 and subject to paragraph 15 of resolution 1284 (1999), shall remain in force for a new period of 150 days beginning at 00.01 hours, Eastern Daylight Time, on 4 July 2001;

2. *Further decides* that from the sum produced from the import by States of petroleum and petroleum products originating in Iraq, including financial and other essential transactions related thereto, in the 150-day period referred to in paragraph 1 above, the amounts recommended by the Secretary-General in his report of 1 February 1998 (S/1998/90) for the food/nutrition and health sectors should continue to be allocated on a priority basis in the context of the activities of the Secretariat, of which 13 per cent of the sum produced in the period referred to above shall be used for the purposes referred to in paragraph 8 (b) of resolution 986 (1995);

01-43919 (E)

3. *Requests* the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of this resolution, and to continue to enhance as necessary the United Nations observation process in Iraq in such a way as to provide the required assurance to the Council that the goods produced in accordance with this resolution are distributed equitably and that all supplies authorized for procurement, including dual usage items and spare parts, are utilized for the purpose for which they have been authorized, including in the housing sector and related infrastructure development;

4. *Decides* to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 150-day period, and expresses its intention, prior to the end of the 150-day period, to consider favourably renewal of the provisions of this resolution as appropriate, provided that the reports referred to in paragraphs 5 and 6 below indicate that those provisions are being satisfactorily implemented;

5. *Requests* the Secretary-General to provide a comprehensive report to the Council 90 days after the date of entry into force of this resolution on its implementation and again at least one week prior to the end of the 150-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations which he may have on the adequacy of the revenues to meet Iraq's humanitarian needs;

6. *Requests* the Committee established by resolution 661 (1990), in close consultation with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above and prior to the end of the 150-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

7. *Decides* that from the funds produced pursuant to this resolution in the escrow account established by paragraph 7 of resolution 986 (1995), up to a total of 600 million United States dollars may be used to meet any reasonable expenses, other than expenses payable in Iraq, which follow directly from the contracts approved in accordance with paragraph 2 of resolution 1175 (1998) of 19 June 1998 and paragraph 18 of resolution 1284 (1999), and expresses its intention to consider favourably the renewal of this measure;

8. *Requests* the Secretary-General to take the necessary steps to transfer the excess funds drawn from the account created pursuant to paragraph 8 (d) of resolution 986 (1995) for the purposes set out in paragraph 8 (a) of resolution 986 (1995) in order to increase the funds available for humanitarian purchases, including as appropriate the purposes referred to in paragraph 24 of resolution 1284 (1999);

9. *Decides* that the effective deduction rate of the funds deposited in the escrow account established by resolution 986 (1995) to be transferred to the Compensation Fund in the 150-day period shall be 25 per cent, further decides that the additional funds resulting from this decision will be deposited into the account established under paragraph 8 (a) of resolution 986 (1995) to be used for strictly humanitarian projects to address the needs of the most vulnerable groups in Iraq as

referred to in paragraph 126 of the report of the Secretary-General of 29 November 2000 (S/2000/1132), requests the Secretary-General to report on the use of these funds in his reports referred to in paragraph 5 above, and expresses its intention to establish a mechanism to review, before the end of the 150-day period, the effective deduction rate of the funds deposited in the escrow account to be transferred to the Compensation Fund in future phases, taking into account the key elements of the humanitarian needs of the Iraqi people;

10. *Urges* all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of this resolution;

11. *Calls upon* the Government of Iraq to take the remaining steps necessary to implement paragraph 27 of resolution 1284 (1999), and further requests the Secretary-General to include in his reports under paragraph 5 above a review of the progress made by the Government of Iraq in the implementation of these measures;

12. *Stresses* the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of this resolution in Iraq;

13. *Appeals* to all States to continue to cooperate in the timely submission of applications and expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi people as rapidly as possible;

14. *Decides* to remain seized of the matter.

United Nations S/RES/1361 (2001)

Security Council

Distr.: General
5 July 2001

Resolution 1361 (2001)

Adopted by the Security Council at its 4345th meeting, on 5 July 2001

The Security Council,

Noting with regret the resignation of Judge Mohammed Bedjaoui, taking effect on 30 September 2001,

Noting further that a vacancy in the International Court of Justice for the remainder of the term of office of Judge Mohammed Bedjaoui will thus occur and must be filled in accordance with the terms of the Statute of the Court,

Noting that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 12 October 2001 at a meeting of the Security Council and at a meeting of the General Assembly at its fifty-sixth session.

01-44225 (E)

United Nations S/RES/1362 (2001)

Security Council

Distr.: General

11 July 2001

Resolution 1362 (2001)

Adopted by the Security Council at its 4346th meeting, on 11 July 2001

The Security Council,

Recalling all its earlier relevant resolutions, including resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995, 1088 (1996) of 12 December 1996, 1147 (1998) of 13 January 1998, 1183 (1998) of 15 July 1998, 1222 (1999) of 15 January 1999, 1252 (1999) of 15 July 1999, 1285 (2000) of 13 January 2000, 1307 (2000) of 13 July 2000, 1335 (2001) of 12 January 2001 and 1357 (2001) of 21 June 2001,

Having considered the report of the Secretary-General of 3 July (S/2001/661) on the United Nations Mission of Observers in Prevlaka (UNMOP),

Recalling also the letters to its President from the Chargé d'affaires a.i. of the Federal Republic of Yugoslavia of 5 July 2001 (S/2001/668) and from the Chargé d'affaires a.i. of the Republic of Croatia of 9 July 2001 (S/2001/680), concerning the disputed issue of Prevlaka,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders,

Noting once again the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia, in particular articles 1 and 3 thereof, the latter reaffirming their agreement concerning the demilitarization of the Prevlaka peninsula, and the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996 (S/1996/706, annex),

Noting with satisfaction that the overall situation in the UNMOP area of responsibility has remained stable and calm despite continuing violations of the demilitarization regime, including limitations placed on the free movement of United Nations military observers,

Noting with satisfaction that the opening of crossing points between Croatia and the Federal Republic of Yugoslavia in the demilitarized zone continues to facilitate civilian and commercial traffic in both directions without security incidents and continues to represent a significant confidence-building measure in the

01-45033 (E)

normalization of relations between the two parties, and urging the parties to utilize these openings as a basis for further confidence-building measures to achieve the normalization of relations between them,

Welcoming the joint statement by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia issued in Verbania, Italy, on 8 June 2001 (A/56/116-S/2001/617) in which they expressed their commitment to normalize the bilateral relations between their countries, with a special emphasis on facilitating the free movement of persons, commodities and ideas, and to implement bilateral agreements already signed,

Commending the role played by UNMOP, and *noting also* that the presence of the United Nations military observers continues to be essential to maintaining conditions that are conducive to a negotiated settlement of the disputed issue of Prevlaka,

Recalling the relevant principles contained in the Convention on the Safety of the United Nations and Associated Personnel adopted on 9 December 1994 and the statement of its President of 10 February 2000 (S/PRST/2000/4),

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Authorizes* the United Nations military observers to continue monitoring the demilitarization of the Prevlaka Peninsula, in accordance with resolutions 779 (1992) and 981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December 1995 (S/1995/1028), until 15 January 2002, and *requests* the Secretary-General to continue to report to the Council where appropriate;

2. *Reiterates* its calls upon the parties to cease all violations of the demilitarized regime in the United Nations designated zones, to cooperate fully with the United Nations military observers and to ensure their safety and full and unrestricted freedom of movement;

3. *Welcomes* the resumption of talks between the Governments of the Republic of Croatia and the Federal Republic of Yugoslavia, and *urges* the parties to continue their talks with the aim of fulfilling rapidly and in good faith their commitment to a negotiated resolution on the disputed issue of Prevlaka in accordance with article 4 of the Agreement on Normalization of Relations;

4. *Encourages* the parties to consider all confidence-building measures, including the options provided to them pursuant to resolution 1252 (1999), that could help facilitate a solution to the disputed issue of Prevlaka;

5. *Requests* the parties to continue to report at least bi-monthly to the Secretary-General on the status of their bilateral negotiations;

6. *Requests* the United Nations military observers and the multinational stabilization force authorized by the Council in resolution 1088 (1996) of 12 December 1996 and extended by resolution 1357 (2001) of 21 June 2001 to cooperate fully with each other;

7. *Decides* to remain seized of the matter.